

REMARKS

Claims 1 and 3-44 are pending in this application and stand rejected. By the above amendment, claims 1, 3, 5, 7, 9, 17, 19, 21, 22, 24, 25, 27, 28, 30, 31, 33, 34, 35, 36, 37, 42 and 44 have been amended and claim 32 has been canceled without prejudice. Applicants respectfully request reconsideration of the claim rejections based on the following remarks.

Claim Rejections – 35 U.S.C. § 103

The following claim rejections have been asserted under 35 U.S.C. § 103(a):

Claims 1, 3-5, 8-11 and 32-33 stand rejected as being unpatentable over U.S. Patent No. 5,999,970 to Krisbergh in view of U.S. Patent No. 6,026,086 to Lancelot et al.

Claims 6-7 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S. Patent 6,141,356 to Gorman;

Claims 12-14 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S. Patent No. 5,561,703 to Arledge;

Claims 15-16 stand as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S. Patent No. 5,991,596 to Cunningham;

Claims 17-18 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S. Patent No. 6,320,941 Tyroler;

Claims 19-22, 26-28, and 34-35 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S. Patent No. 6,263,501 to Schein;

Claims 23-24 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Schein and further in view of U.S. Patent No. 5,812,931 to Yuen;

Claim 25 stands rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Schein and further in view of Yuen and further in view of Arledge;

Claims 29-31 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Schein and further in view of Cunningham;

Claims 36-39 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of U.S Patent No. 6,285,407 to Yasuki;

Claim 40 stands rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Yasuki and further in view of Arledge;

Claim 41 stands rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Yasuki and further in view of Cunningham;

Claims 42-43 stand rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Yasuki and further in view of Tyroler; and

Claim 44 stands rejected as being unpatentable over Krisbergh in view of Lancelot and further in view of Yasuki and further in view of Schein.

It is respectfully submitted that at the very minimum, the combination of Krisbergh and Lancelot is legally deficient to establish a *prima facie* case of obviousness against claim 1 because such combination does not disclose or suggest, *at least a first communication system, operatively coupled to a television set, comprising a first RF transceiver unit and a first data processing unit for generating at least one information signal and for generating at least one display signal for display on the television set, wherein the at least one information signal and the at least one return information signal are independently transmitted from a television signal*, as essentially recited in claim 1. Indeed, Krisbergh discloses a set top converter (54), but the converter (54) clearly is not a first communication system, operatively coupled to a television set, comprising a first RF transceiver unit and a first data processing unit for generating at least

one information signal and for generating at least one display signal for display on the television set, wherein the at least one information signal and the at least one return information signal are independently transmitted from a television signal.

Moreover, Lancelot does not cure the deficiencies of Krisbergh in this regard. Indeed, Lancelot discloses in FIG. 2 (cited in the Office Action) a primary station (105) which is a shared (trunked) device in a central location that provides services to many subscribers and users. The primary station (105) sends data to a plurality of secondary stations (110) that are located within the users' homes (including telephones, PCs, video displays, etc.) via a HFC (hybrid fiber coaxial) communications system (103). In this regard, the primary station (105) is clearly not a first communication system, operatively coupled to a television set, comprising a first RF transceiver unit and a first data processing unit for generating at least one information signal and for generating at least one display signal for display on the television set, wherein the at least one information signal and the at least one return information signal are independently transmitted from a television signal, as essentially recited in claim 1. In fact, Lancelot discloses that a TV signal is transmitted with other signals (via combiner (104)) on the HFC communications system (103).

Accordingly, for at least the above reasons, claim 1 is patentable and non-obvious over the combination of Krisbergh and Lancelot. In fact, Applicants respectfully submit that other than through selective combination of elements from different references through impermissible hindsight reasoning, the invention of claim 1 as a whole, is not fairly suggested by the combination of Krisbergh and Lancelot.

Furthermore, Applicants respectfully submit that claim 36 is patentable and non-obvious over the combination of Krisbergh, Lancelot and Yasuki for reasons similar to that given above

for claim 1. Indeed, Yasuki does not cure the deficiencies of Krisbergh and Lancelot in that Yasuki does not disclose or suggest at least a first communication system, operatively coupled to a television set, comprising a first RF transceiver unit and a first data processing unit for generating at least one information signal and for generating at least one display signal for display on the television set, wherein the at least one information signal and the at least one return information signal are independently transmitted from a television signal, as essentially recited in claim 36.

It is respectfully submitted that with respect to the remaining combinations of references cited above, all of which are based, in part on the combination of Krisbergh and Lancelot, are legally deficient to establish a *prima facie* case of obviousness against the claims because none of the cited combinations discloses or suggests, for example, at least a first communication system, operatively coupled to a television set, comprising a first RF transceiver unit and a first data processing unit for generating at least one information signal and for generating at least one display signal for display on the television set, wherein the at least one information signal and the at least one return information signal are independently transmitted from a television signal, as essentially recited in claims 1 and 36, from which all pending claims depend. Accordingly, for at least the above reasons, withdrawal of the obviousness rejections is respectfully requested.

Respectfully submitted,



Frank V. DeRosa
Reg. No. 43,584

F. Chau & Associates, LLC
130 Woodbury Road
Woodbury, New York 11797
TEL: (516) 692-8888
FAX: (516) 692-8889